



CITY OF FREDERICKSBURG, VIRGINIA

CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. BRADFORD C. ELLIS, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

January 12, 2016

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, January 12, 2016, beginning at 8:39 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

Also Present. City Manager Beverly R. Cameron, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Planning & Building Director Charles Johnston, Zoning Administrator Michael Craig, Assistant Economic Development Director Bill Freehling, Fire Chief Eddie Allen, Deputy Fire Chief Mike Jones, Fire Marshall Paris Sacks, Assistant Public Works Director David King, Budget Manager Deidre Jett and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D16-05 thru D16-12). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Resolution 16-02, Approved, Granting a Special Use Permit to Creative Color Real Estate, LLC for Service of Alcoholic Beverages Under an ABC on-Premises License at 1419 Princess Anne Street (D16-

05 thru D16-06). – 8 speakers. After staff presentation Councilor Duffy asked about the sale of food and Mr. Craig explained that the sale of food was not required with the sale of beer, but would be required if they were selling liquor. He also explained that the applicant was not getting a liquor license but a brewery license which permits them to sell the beer that they make on site. He said they would have the option to sell food in the future and it was a permitted use in the zone.

Councilor Kelly read a request from a citizen requesting an addition in the conditions regarding the noise and City Attorney Dooley explained that the portion of the code that was read sounded like the general prohibition that used to be in the noise ordinance. She explained that the noise ordinance had since been amended and the general prohibition of noise was open to too many interpretations. The ordinance currently has specific prohibitions that include objective standards for the police to use in assessing whether the noise was a violation of the City Code. Councilor Kelly said he would like to get an update on how effective the noise ordinance has been since it was revised.

Councilor Frye noted how responsive the applicant had been to the neighbor's request. He also asked for clarification on the parking and Mr. Craig noted that applicant would be adding seven spaces plus the existing which totaled 15 and they also have overflow parking in front of Creative Color. Mr. Craig also addressed the lighting which he said the applicant would be eliminating the lighting on the Pitt Street side of the building.

Vice-Mayor Withers asked about the delivery hours and Mr. Craig explained that the previous restrictions had been continued and deliveries will only be allowed 8:00 a.m.

to 6:00 p.m. Monday through Friday and no earlier than 8:00 a.m. and no later than 12 noon on Saturday.

Councilor Devine noted that she was impressed with the application and with the staff and the applicant for bring a business that fit well with the neighborhood. She also stated that she appreciated the applicant for working with the neighborhood.

Beatrice Paolucci, 1500 Princess Anne Street, spoke in support and stated that she was looking forward to this project. She mentioned that Pitt Street already had parking issues and she asked Council to consider putting the 200 block of Pitt Street under permit parking. She hoped this project would be a catalyst for future renovations along Pitt Street.

Mike Taggart, 425 Bunker Hill Street, spoke on behalf of the Fall Hill neighborhood and their support of the project.

Jennifer Clark-Evans, 1409 Winchester Street, spoke in support and stated that the applicant wanted to do a great job and he wanted to offer the community the art of craft brewing. She thought it was great that Fredericksburg was offering more projects like this. She was confident he would continue the great working relationship with the City and residents.

Shawn Phillips, Owner of Spence-Devon Brewery, spoke in support of the project and said he hoped they would champion their efforts because breweries are about the community.

Anna Lee, 1410 Littlepage Street, spoke in support of the project.

Michael Walsh, 8801 New Castle Court, Spotsylvania, stated that breweries were a growing business. He works in the tourist business and he said breweries were

becoming an attraction for vacationers. He said this would entice people to come to Fredericksburg and would help to grow the economy.

Greg Roth, 1819 Weedon Street, spoke in support of the brewery and said he would love to have a new brewery in town. He also said he would love to see this area of Princess Anne Street renovated.

Brent Huntsinger, 10715 Hamilton's Crossing, Spotsylvania, spoke in support of the brewery.

Councilor Kelly made a motion to approve Resolution 16-02, granting a Special User Permit to Creative Color Real Estate, LLC for service of alcoholic beverages under an ABC on-premises license at 1419 Princess Anne Street; motion was seconded by Councilor Devine.

Councilor Frye said this was a great project but stated he had received calls from several residents that were not in support because of the close proximity to their homes and because of this he could not support the project.

The motion passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Ellis and Kelly. Nays (1). Councilor Frye.

Resolution 16-03, Approved, Approving a Special Exception for the Installation of Telecommunications Facilities at 2217 Princess Anne Street, the General Washington Executive Center (D16-07 thru D16-08).

– 2 speakers. After staff presentation Council expressed some concerns with the height, color the number of antennas. Mr. Craig noted that the antennas would be approximately fourteen feet shorter than the existing flag pole and the color of the antennas would be grey. The applicant no longer request twelve antennas he only needed six. Vice-Mayor

Withers said he opposed having additional antennas and he would like to limit them to six because this was a prominent building.

Charlie Payne, Attorney, Hirschler Fleischer, representing the applicant stated that they had looked at other buildings but this building was blocking the service. He said the antennas were very narrow but taller than the original proposed antennas that's why the number of antennas was lowered from twelve to six.

Councilor Devine asked if the six towers included the co-locators and Mr. Payne said they did not but that the co-locators would allow competitors and public safety to add on if they needed or wanted to. Councilor Devine stated that she would like to cap the number of antennas at six and if additional antennas were needed they would have to come before Council for permission.

Mike Taggart, 425 Bunker Hill Street, spoke in opposition because he was concerned with the aesthetics with the building because it is visible from many areas of the community.

Mr. Payne said they took that into consideration and they were suppressing the impact as much as possible.

Councilor Kelly said he was not a huge fan of special exceptions but in this case this was helping with the City to become more tech savvy and this would benefit the community. He said he would like to have more infrastructures in place and he liked the idea of having the antennas located in one place. He was supportive of limiting the number of antennas.

Councilor Devine made a motion to approve Resolution 16-03, approving a special exception for the installation of telecommunications facilities at 2217 Princess

Anne Street, the General Washington Executive Center, adding an additional condition limiting the number of antennas to six and adding the date the plans were submitted in the Resolution as June 18, 2015 and last revised August 12, 2015; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Granting Lincoln Terminal Company an Amended Special Use Permit for an Expansion of the Bulk Storage Facility at 1500 Beulah Salisbury Road (D16-09 thru D16-10). – no speakers. Staff summarized that the applicant would like to add an additional tank to the current facility. The applicant requests to increase the bulk storage of petroleum products by 1.06 million gallons, a 10 percent increase from what they were currently approved for. The storage would be in a single above ground tank. This facility is in the vicinity of the Mayfield neighborhood. If this special use permit is approved it would bring the petroleum product capacity up to 10,300,000 gallons on site. The facility has a loading rack for the takers and they go around the region with deliveries.

Staff noted a few issues the first was the access road which is actually located in Spotsylvania County and is maintained by the Virginia Department of Transportation (VDOT) and intersects with Route 2. The problem is the radius of the turn. There is not enough room for a tanker to turn in when there is a taker waiting to exit the road. VDOT was working through engineering and right-of-way access to correct the problem. Lincoln terminal has offered \$32,000 to assist with the construction of the improvements at the intersection. The second issue was due to the proximity of the Mayfield Neighborhood and the concerns about fire and public safety.

There are three different fire protection systems in place on site: fixed system where all the materials are built into the site and it protects the loading rack area; the six tanks are protected by a manifold and there is also a mobile foam trailer system to put fires out both on and off site. There are also environmental concerns because the facility is located near the river but State and Federal Regulations help to mitigate those issues.

Councilor Duffy was concerned with 10,000,000 gallons and he asked about the security of the facility and Mr. Tim Fox said there was a security plan that was approved by the regulatory agencies and it was available to the public. Councilor Duffy asked about the rate of failure and Mr. Fox said majority of the facilities are automated, the employees are well trained and the facilities are inspected daily. The tanks and trucks have overfill protection and all safety precautions were in place and regulated by State and Federal government.

Councilor Frye expressed his concerns for the safety of the Mayfield neighborhood. He was also concerned with the number of tanker cars coming and going from the facility. Councilor Frye was also concerned that there was no evacuation route for the people that live near the facility if there was an explosion and Deputy Fire Chief Jones explained that it would depend on the location of the incident, but they would notify residents using the reverse 911 system and the Fredericksburg Alert. He said if there was an incident at the facility they would recommend that residents protect in place and if they needed to evacuate they would be taken north on Route 2 to the Blue and Grey Parkway or South on Route 2 to Route 17. He explained this would be coordinated with all emergency services and there was no way to make a plan because it would depend on the type of emergency.

Councilor Frye also asked about the air quality and Mr. Fox explained that the vapors were destroyed because they are pushed through a vapor combustion unit and the unit is inspected every five years by the State and Federal government. He said there were also monthly State regulations that they followed, to limit the number of gallon that could be put through.

Councilor Devine asked whether Lincoln Terminal operated other facilities and what size were those facilities and Mr. Fox stated they did in Tennessee, North and South Carolina and Winchester. He stated that some of the facilities were of similar size others were smaller. Councilor Devine also asked how many additional truck trips per day would occur and Mr. Fox stated that they have lessened the traffic because the previous operation made 136 trips per day and they currently run about 65 trips per day but they would like to do 100.

Councilor Kelly asked staff whether Friends of the Rappahannock (FOR) was consulted because they could offer great advise and staff stated they had not spoken with FOR. Councilor Kelly asked if the \$32,000 was supposed to cover all of the road work improvements and Mr. Craig said the \$32,000 was to do the physical improvements it did not include the engineering and the right of way acquisition. Councilor Kelly wanted to make it clear that the City would not be putting in any funding for the improvement and that VDOT and the applicant would provide any additional funding needed for the improvements.

Councilor Kelly asked if the City Fire Department was capable of handling an emergency at the facility. Deputy Chief Jones explained the current systems that were in place for an emergency and he noted that Stafford and Spotsylvania would assist if

needed, but he felt they were capable of handling an emergency at the facility.

Councilor Ellis made a motion to grant Lincoln Terminal Company an amended special use permit for an expansion of the bulk storage facility at 1500 Beulah Salisbury Road; motion was seconded by Councilor Kelly.

Councilor Kelly said he would like to walk the site and hear from FOR before the Council voted on this because it was a public safety item. He asked that the motion to be withdrawn.

Mayor asked how long the facility had been located at this site and whether there had been any problems and Mr. Craig said they had been located there 40-50 years and there was one spill reported during the time Quarrels was running the facility.

Councilor Duffy said he could not support the increase in fuel because the facility was so close to the river.

Councilor Frye added that they were battling two issues the CSX tankers on one side and this facility on the other side and because of the safety concerns he could not support.

With no objections from Council, Councilor Ellis withdrew his motion.

Ordinance 15-01, First Read Approved, Amending the Zoning Regulation in the R-4 and R-8 Residential Zoning Districts and the C-T Commercial/Office-Transitional District, to Require the Front Building Façade to be Oriented Toward the Front Yard, and, for Lots of Record Prior to April 25, 1984, to Make the Infill Front Yard Setback Mandatory, and to Reduce the Minimum Infill Side Yard Setback;

Amending the Method for Calculating Average Yard Setbacks (D16-

11). – 2 speakers. After a brief summary Councilor Kelly clarified that this change was to maintain the character of the older neighborhoods therefore construction in those neighborhoods would conform to the existing houses on those streets. He said he would support this for the purpose of maintaining the character of the neighborhoods.

Councilor Frye asked for clarity on how the setbacks would be determined and Mr. Johnston explained that the zoning administrator would calculate to determine what the setback should be based on the pattern of what's in the neighborhood.

Hamilton Palmer, 1500 Caroline Street, he spoke on what the unintended consequences may be because of this ordinance. He felt this could result in a very narrow home with not much livable space in some of the areas of the City.

Mr. Johnston noted that in the historic district zero side yard setback would be allowed but outside of the historic district Council wanted a minimum of two feet side yard.

Shirley Grant, 806 Hanover Street, stated that she purchased a townhouse at 802 Cornell Street in 1982 and shortly after her purchase the area as well as the townhouse was zoned R-4 and it is still zoned that today. She noted there were several other zonings in the area she asked that the City take a look at how some of the properties are zoned.

Councilor Kelly made a motion to approved Ordinance 15-01, on first read, amending the zoning regulation in the R-4 and R-8 Residential Zoning Districts and the C-T Commercial/Office-Transitional District, to require the front building façade to be oriented toward the front yard, and, for lots of record prior to April 25, 1984, to make the infill front yard setback mandatory, and to reduce the minimum infill side yard setback;

amending the method for calculating average yard setbacks; motion was seconded by Vice-Mayor Withers.

Mayor Greenlaw said what concerned her about this ordinance was that the front door must face the front. She said she liked the idea of making houses conform to setbacks but she worried about making cookie cutter houses.

Councilor Ellis stated that he felt his ordinance would cause houses to become cookie cut as well therefore he could not support the ordinance.

The motion passed by the following recorded votes. Ayes (4). Councilors Withers, Devine, Duffy and Kelly. Nays (0). Greenlaw, Ellis and Frye.

Resolution 15-04, First Read Approved, Amending the Fiscal Year 2016 Budget by Appropriating Fiscal Year 2015 Encumbrances and Carryovers (D16-12). – no speakers. After a brief summary by staff Councilor Devine made a motion to approved Resolution 15-04, on first Read, amending the fiscal year 2016 budget by appropriating fiscal year 2015 encumbrances and carryovers; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Adjournment. There being no speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 10:51 p.m.

Tonya B. Lacey
Tonya B. Lacey, Clerk of Council, CMC

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED
01-26-16

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HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

January 12, 2016

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, January 12, 2016, beginning at 7:30 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

Also Present. City Manager Beverly R. Cameron, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Planning & Building Director Charles Johnston, Zoning Administrator Michael Craig, Assistant Economic Development Director Bill Freehling, Fire Chief Eddie Allen, Deputy Fire Chief Mike Jones, Fire Marshall Paris Sacks, Assistant Public Works Director David King, Budget Manager Deidre Jett and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Councilor Matthew J. Kelly followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

Officer Recognized. Mayor Greenlaw recognized the presence of Officer Ted Marrs at this evening's meeting.

General Property Reassessment – Mr. Don Thomas, Wingate Appraisal Service (D16-01). Mr. Thomas gave a PowerPoint presentation and the presentation covered the project objective, phases, tendencies and trends, Virginia Department of Taxation Ratio Study, property class indications, residential property performance, multifamily assessment to sale over the last 3 years, office property trends, retail property trends and current indications. See D16-01 for more information.

Mr. Thomas noted that after the assessments were completed they would hold appeals.

Vice-Mayor Withers asked what approach was being used for income increase and whether it would be helpful if the City collected the income data ahead of time and Mr. Thomas said they were making efforts to collect that information, but it would be helpful if the City already had that data available.

Fredericksburg City Schools Updates – Dr. David Melton, Superintendent and Dr. John Gordon, III, Director of Administrative Services (D16-02 thru D16-03). Dr. Melton distributed a 2016-2017 Operating Budget at-a-glance. He discussed the requested operating budget increases additional requested positions, cost per pupil in the City and surrounding areas and the first year teacher salary comparisons in the City and surrounding areas. See D16-02 for more information.

Dr. Gordon updated Council on the renovations at the Original Walker Grant and the international Baccalaureate Programme they were trying to implement at James Monroe and Walker-Grant Middle School. See D16-03 for more information.

Councilor Ellis noted that he would like to keep the class sizes as they were

currently and he said in order to do so he knew there would be a need for another elementary school and he said he would like to see those costs in the budget request. Dr. Melton stated that because of the new renovations, it would be 5-6 year out before they needed to start that process.

Councilor Devine asked how many students would be impacted by the Diploma Program and Dr. Gordon stated there was a maximum of 50 but it would depend on the number of applications received. He would anticipate the number to be small in the beginning and increase as the years go on.

Councilor Frye thanked Dr. Gordon for including the Walker-Grant Alumni in the renovations at the original Walker-Grant. Dr. Gordon said the Alumni was working on collecting archives to be displayed after the renovations were complete.

Councilor Kelly reminded the schools that it was getting harder to fund the budget requests and he suggested schools start buckling down.

Liberty Place Archeology Report – Mr. David Dutton, Dutton & Associates, LLC (D16-04). Mr. Dutton presented a PowerPoint presentation. In the presentation, he discussed the purpose of the survey the survey methods, he had survey maps from 1721, 1806, 1862, 1878, 1886, 1927, 1963 showing the project site, pictures showing the trench locations, and his recommendations. In his recommendation, he stated that deposits or features would likely remain intact because they were deep into the soil and below the level of modern disturbances. He also stated that the archeological research and the potential of finds were no greater than that offered by historic maps, photographs and directories. The historically shallow features and deposits that could offer more data would have been located in the midlot and backlot areas, which lie under the existing

building and finally the archeological research potential to provide important new information about the history of Fredericksburg would be limited.

Councilor Kelly pointed out that at other sites that were surveyed the archeologist did not find anything until they were about 20 feet down. He said phase one does not always reveal anything. Mr. Dutton stated that his recommendation would have been different if he had been looking at an 18th Century site.

Public Hearing Conducted (D16-05 thru D16-12). The regular session was recessed in order to conduct the scheduled public hearings and immediately reconvened upon their conclusion.

Citizen Comment. The following speakers came forward to participate in the citizen comment portion of this evening's meeting.

Steve Gaske (D16-13), 1322 Washington Avenue, stated that there was an overwhelming opposition of the trees on Washington Avenue. He said Washington Avenue was a nationally designated Historic District. He gave the history of the mall and said it was to resemble the National Mall in Washington, D.C. which has unobstructed views to show the monuments. The Washington Avenue Mall property was used as a memorial to display the Mary Washington Monument, and subsequent monuments were added to the display. He said this area had become a part of the tourist attraction. He said dense replanting had altered the setting, and the feeling, and association of the property and has compromised the integrity of its historical significance, therefore they believe the plantings were inconsistent with the City's 2010 Historic Preservation Plan and the Comprehensive Plan.

He also distributed a letter from Pastor Lunsford of the First Christian Church

located on the Mall.

Richard Harrison, 1304 Washington Avenue, said he was part of the Right Tree, Right Place Group and he discussed the different type of trees that had been planted and the layout of those trees on the mall. He explained how the trees would grow and eventually interlock and block the views of the monument. He said they were told the Garden Club was consulted in the development of the tree plan for Washington Avenue but he felt this was out of character of their typical treatment of historical properties. He said they were not opposed to trees in the City or the relationship the City has with the contractor or the tree plantings along the utility strips. He requested Council to set up a historic preservation committee to develop a landscape architectural plan to preserve the sightlines along the monument.

Suspension of the Rules. Councilor Devine made a motion to suspend the rules in order to meet past 11:00 p.m.; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Bernhard Rahnhand, 48 Paul Hill Road, Stafford, VA, said he had been involved in a few incidents downtown and it took a while for the City Police to show up. He would like to propose the City Council to set up a citizen's group like the Guardian Angels that would allow those citizens to detain a person until the police showed up.

James Beavers, 1309 Washington Avenue, spoke in opposition of the tree plantings along Washington Avenue. He said the plantings take away from the views along the Mall. He requested the City start over and hire a new landscape architect.

Kevin Brown, Riverside Drive, spoke in support of the residents along

Washington Avenue. He also spoke in support of the Mill District project. He said he was a big supporter of the trails and he believed this redevelopment would make this area of the trail safer.

Janice Olson, 1302 Winchester Street, spoke in opposition of the tree plantings along the Mall. She said she is a supporter of trees but she was alarmed with the rapid number of plantings along the Mall. She questioned when the tree plan was adopted and she requested the plantings be halted and that those already planted be transplanted.

Richard Dynes, 818 Weedon Street, stated that he would like the Mall to stay an open green. He also spoke in support of the Mill District redevelopment. He said the City needed to foster projects like the Mill District because they would create opportunities.

Adrienne Stocker, 1620 Caroline Street, spoke in support of the Mill District project. He feared that if the Council did not act that the City would lose the opportunity. He urged Council to act with speed.

Shirley Grant, 806 Hanover Street, spoke in support of the Mill District project. She said she and her husband have been excited since they heard about the redevelopment. She urged Council to vote in favor.

Anna Sandborn, 1707 Princess Anne Street, spoke in support of the Mill District project and she added that she worked and lived in the Princess Anne Street Corridor. She said she hoped enough changes had been made to move the project forward.

Ed Whalen, 1705 Princess Anne Street, gave a recap of the Mill District revitalization project. He said there had been over 12 revisions to the project addressing citizen, staff and Council concerns and considerations. The project now had the support of many of the surrounding neighborhoods. Mr. Whalen said there was one concern that

was lingering and that was the misconception associated with residential density. He explained that it is the increase of residential density that pays for the project. He said there cannot be a strong revitalization without increased residential density.

Marilyn Brown, 5287 Cedon Road, Woodford, VA, said there were many jobs in Quantico for the homeless and she said the City needed more resources to help the homeless.

Shelby Chandler, 211 Jeffers Circle, Lake of the Woods, Assistant Superintendent of the James Monroe Memorial Foundation, said he was asked to speak on behalf of the Washington Avenue neighborhood. He noted that the neighbors were not spoken to about the tree plan on the mall. The trees that had been planted were too close and too large. He said he gives tours to people from many nations and they come to visit and see these statues. From a historical point of view he feels the mall should remain open to help keep the history alive.

Council Agenda Presented. The following items were presented to Council.

7A. Fredericksburg 2nd Annual Gun Giveback Program Update – Councilor Frye

7B. City Tree Planting – Councilor Ellis

7C. New Director of Central Rappahannock Regional Library & Reception in Her Honor – Councilor Devine

7D. Request to Move up on the Agenda the Appointment to Central Rappahannock Regional Library Board of Trustees – Councilor Devine

Fredericksburg 2nd Annual Gun Giveback Program Update – Councilor Frye gave an update that on December 12 in four hours 32 guns were collected voluntarily by the end of the year an additional 2 guns were turned over to the Police

Department for the gun giveback. He also noted that the City won an award from the Virginia Municipal League. Within the year 101 guns were collected.

He thanked the Police and Sheriff's departments and Ms. Doris Buffet for donating \$100 per gun to local charities.

Councilor Ellis thanked Councilor Frye on the efforts and he stated that if the Citizen's want to get serious about gun violence he suggested they get serious and contact the General Assembly and ask them to do what they did with carjacking and make it a felony punishable by at least 15 years in prison and he would like to see the same thing done with gun violence.

City Tree Planting – Councilor Ellis spoke in regards to the tree planting and the tree plantings on the mall. He suggested directing staff to halt all tree planting in the City until there was a more comprehensive plan and he would prefer this plan be developed by input from the community. He agreed that the views were becoming obstructed.

Councilor Ellis suggested making a motion to direct all city staff to halt all tree planting until the city was confident in moving forward with the tree planting plan that is embraced by the community.

Councilor Devine noted that this was already happening and there was a public information session scheduled on January 25, at the Dorothy Hart Community Center at 7:00 pm and she did not want to make any motions until after that meeting. She noted that there had been a tree plan and she stated that it may not have been as publicly transparent as other plans but she noted that the plan could be revisited. Councilor Devine asked everyone to keep an open mind she added that the plantings have been done as a service to

the City.

Mayor Greenlaw explained the purpose for the meeting was to give a history of how this happened and she said the plan had been done by a landscaper and was revised by Parks and Recreation some years ago. Mayor Greenlaw encourage everyone come to the meeting to learn and hear what the plans are.

Councilor Kelly noted that the staff and Clean and Green were not planning to plant any trees until after the meeting. Mr. Cameron also noted that trees are not planted in January therefore no trees would be planted before the public meeting is held.

Councilor Duffy noted that the citizens that spoke out were not critical of all city tree plantings, their concerns were on the Washington Avenue mall only.

Vice-Mayor Withers added that he hoped everyone would go in the meeting with an open mind understanding there were no ill intentions. He said this would allow the City to see if there could be some readjusting.

Councilor Frye stated that if there was a problem that it would be fixed and he hoped there would be some compromise.

Vice-Mayor Withers said he hoped the City staff, the committee and the community could work together and come up with a solution because he did not agree with Council having to make a ruling on every disagreement with every neighborhood. He wants this worked out on a staff level.

New Director of Central Rappahannock Regional Library and Reception in Her Honor – Councilor Devine announced the reception for the new director on February 11 at 5:30 and formal invitations would follow.

Central Rappahannock Regional Library Board of Trustees –

Cheryl Miller (D16-28). Councilor Devine moved to appoint Cheryl Miller to the Central Rappahannock Regional Board of Trustees; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

City Manager's Consent Agenda Accepted for Transmittal as Recommended (D16-14 thru D16-25). Following review and as recommended Councilor Kelly moved approval of the City Manager's consent agenda items; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

- Transmittal of FRED Transit Progress Report – November 2015 (D16-14).
- Ordinance 15-32, Second Read, Extending the Arts and Cultural District License Tax Reduction for Existing Businesses (D16-15).
- Resolution 15-98, Second Read, Amending the Fiscal Year 2016 Budget by Appropriating Asset Forfeiture Funding (D16-16).
- Resolution 16-05, Authorizing the City Manager to Accept a Deed of Easement from the Economic Development Authority for 24 hour Ingress/Egress and Nights and Weekend Parking at the Former Union Bank Building at Charles and Amelia Streets (D16-17).
- Transmittal of a Memorandum on the R-Board Cell Tower (D16-18).
- Transmittal of Boards and Commission Minutes
 - Board of Social Services – October 8, 2015 (D16-19).
 - Clean and Green Commission – November 2, 2014 (D16-20).
 - Economic Development Authority – October 19, 2015 (D16-21).

- Economic Development Authority – December 3, 2015 (D16-22).
- Planning Commission – June 17, 2015 (D16-23).
- Potomac & Rappahannock Transportation Commission – November 5, 2015 (D16-24).
- Public Transit Advisory Board – October 7, 2015 (D16-25).

Adoption of Minutes (D16-26 thru D16-27). Councilor Devine moved approval of the November 10 and 24, 2015 Work Sessions; the November 24 and December 8, 2015 Public Hearings and Regular Session minutes; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Resolution 16-06, Approved, Amending the Fiscal Year 2016 Budget by Using \$31,720 of General Fund Contingency for the Purchase of New Voting Machines (D16-29). After staff presentation and brief discussion Councilor Kelly made a motion to approve Resolution 16-06, amending the Fiscal Year 2016 budget by using \$31,720 of General Fund Contingency for the purchase of new voting machines; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Ordinance 16-02, First Read Approved, Rezoning Approximately 3.049 Acres of Land from Commercial Highway C-H and Residential R-2 to Planned Development Mixed Use PDMU for the “Mill District” (D16-30 thru D16-31). After staff presentation Council spoke in support of the

changes that had been made. Vice-Mayor was a little concerned that all the details had not been completely worked out on the rest of the project and Councilor Duffy had some concerns with the increase in density and the additional costs it would bring to the taxpayers due to the services that have to be provided but both were in support of the project.

Councilor Kelly moved to approve Ordinance 16-02 on first read, rezoning approximately 3.049 acres of land from Commercial Highway C-H and Residential R-2 to Planned Development Mixed Use PDMU for the “Mill District”; motion was seconded by Councilor Ellis and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

City Manager’s Report and Council Calendar (D16-32 thru D16-

33). City Manager Cameron asked if there were any questions regarding the Manager’s report or the Council Calendar. Activities highlighted on the report were as follows: Restaurant Week, Washington Avenue Mall Trees Public Meeting, Curbside Christmas Trees Collections, Leaf Collection, City Crews Prepare for Winter Weather, Retire Your Old Glory, 2015 Year End Economic Impact Report on Group Business, Police Department Launches Anonymous Tip App for Smart Phones, Building Construction Reports for October – November 2015.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 12:12 a.m.

Tonya B. Lacey
Tonya B. Lacey, Clerk of Council, CMC

Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor

APPROVED
01-26-16